

REMARKS

Claims 1-46 were pending in the present application. Claims 1-5, 20 and 34-38 are canceled without prejudice and claims 6, 21, 25, 39, 40, 42, 44 and 46 are amended. The amendments to claims 6, 25, 39, 40, 42, 44 and 46 involve changing claim dependency and correcting informality and do not raise any issue of new matter. Support for the amendment to claim 21 can be found, *inter alia*, in the original claim 20. Therefore, the present Amendment is fully supported by the original specification and does not raise any issue of new matter. Accordingly, entry of the present Amendment is respectfully requested. Upon entry of the present Amendment, claims 6-19, 21-33 and 39-46 will be under examination.

OBJECTION TO CLAIMS 1-46

Claims 1-46 stand objected to for allegedly being drawn to an improper Markush groups. The Office Action stated that “the improper Markush groups are X and Y” and “the examined subject matter is a compound of formula I wherein X = NH and Y = CO, CS, -C(=N-CN).”

Applicants have canceled claims 1-5, 20 and 34-38 without prejudice and amended claims 6 and 21 to emphasize that X = NH and Y = CO, CS, -C(=N-CN). Therefore, this ground of objection is moot.

REJECTION OF CLAIMS 1-6, 20, 34-38, 42-44 AND 46

Claims 1-6, 20, 34-38, 42-44 and 46 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants would like to clarify that the phrase “electron withdrawing group” refer to the ability of a substituent to withdraw an electron relative to that of hydrogen if the hydrogen atom occupied the same position in the molecule. This term is well understood by one skilled in the art and is discussed in Advanced Organic Chemistry, by J. March, John Wiley & Sons, New York, N.Y., pp. 16-18 (1985).

Applicants have also canceled claims 1-5, 20 and 34-38 without prejudice and amended claims 6, 21, 25, 39, 40, 42, 44 and 46 to correct informalities and typographical errors. Therefore, this ground of rejection is moot.

REJECTION OF CLAIMS 1, 39 AND 40

Claims 1, 39 and 40 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Satoh et al. U.S. Patent No. 5,004,742.

Applicants have canceled claim 1 without prejudice and amended claims 39 and 40 to be dependent upon claim 6. Therefore, this ground of rejection is moot.

OBJECTION TO CLAIMS 7-19, 21-33, 41 AND 45

Claims 7-19, 21-33, 41 and 45 stand objected to as allegedly being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims.

Applicants would like to point out that claims 1-5 are canceled without prejudice and claims 6 and 21 are rewritten in independent form including all the limitations of their base claims, i.e., claims 1 and 20, respectively. Applicants respectfully contend that the amended claims 6 and 21 are in allowable form. Claims 7-19, 41 and 45, as amended, are directly or indirectly dependent upon claim 6 and claims 22-33 are directly or indirectly dependent upon claim 21.

In addition, claims 39, 40 and 42-44 and 46 have been amended to be directly or indirectly dependent upon claim 6. Therefore, reconsideration and withdrawal of this ground of objection and allowance of claims 6-19, 21-33 and 39-46 are respectfully requested.

CONCLUSION

In view of the claim amendments and remarks, further and favorable consideration of claims 6-19, 21-33 and 39-46 and the issuance of a Notice of Allowance are respectfully requested.

It is believed that no fee is required for submitting the present Amendment. However, if any fees are required, the examiner is authorized to charge such fees to our Deposit Account No. 16-1445.

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